

# ***SOCIAL SERVICES BLOCK GRANT PROGRAM***

**U.S. Department of Health and Human Services  
Administration for Children and Families  
Office of Community Services  
Division of State Assistance  
370 L'Enfant Promenade, S.W.  
Washington, D.C. 20447**

*<http://www.acf.dhhs.gov/lprograms/ssbg>*

## **Information Memorandum**

**Transmittal No. 1**

**Date January 22, 2001**

**TO:** SOCIAL SERVICES BLOCK GRANT (SSBG) STATE OFFICIALS  
SOCIAL SERVICES BLOCK GRANT (SSBG) STATE PROGRAM  
CONTACTS

**SUBJECT:** Policy Guidance on Serving Persons with Limited English Proficiency

**RELATED  
REFERENCES:** Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d et seq. and its  
implementing regulation at 45 C.F.R. Part 80; and Guidance on the Title  
VI Prohibition Against National Origin Discrimination As It Affects  
Persons with Limited English Proficiency, as published in the Federal  
Register on August 30, 2000 (65 FR pages 52672-52774).

**PURPOSE:** To clarify the responsibilities of providers of health and social services who  
receive Federal financial assistance from the U.S. Department of Health and  
Human Services (HHS), and to assist them in fulfilling their responsibilities  
to persons with limited English proficiency.

**BACKGROUND:** Title VI of the Civil Rights Act of 1964, (42 U.S.C. 2000d et seq.) and its  
implementing regulation at 45 C.F.R. Part 80 provides that no person shall be  
subjected to discrimination on the basis of race, color, or national origin under  
any program or activity that received Federal financial assistance. In Lau v.  
Nichols, 414 U.S. 563 (1974), the Supreme Court recognized that recipients of  
Federal financial assistance have an affirmative responsibility, pursuant to Title  
VI, to provide persons with Limited English Proficiency (LEP) with meaningful  
opportunity to participate in public programs.

**CONTENT:** On August 30, 2000, the Office for Civil Rights within the U.S. Department of  
Health and Human Services (HHS) issued policy guidance concerning the Title  
VI prohibition against national origin discrimination as it affects Limited  
English Proficient (LEP) persons. Specifically, the guidance clarifies how this  
prohibition applies to health and social service providers who receive Federal  
financial assistance from HHS (65 FR pages 52672-52774). It is consistent with  
a Department of Justice

directive noting that recipient/covered entities have an obligation pursuant to Title VI's prohibition against national origin discrimination to provide oral and written language assistance to LEP persons.

This policy guidance took effect immediately upon publication in the Federal Register.

All entities that receive Federal, financial assistance from HHS, either directly or indirectly, through a grant, contract or subcontract, are covered by this policy guidance. This includes SSBG grantees, subgrantees and contractors.

States and many other providers of health and social services have legal obligations to comply with Title VI of the Civil Rights Act of 1964 and its implementing regulation. The policy guidance reiterates HHS' longstanding position that in order to avoid discrimination against LEP persons on grounds of national origin, health and social service providers must take adequate steps to ensure that such persons receive free of charge the language assistance necessary to afford them meaningful access to the services. The guidance also clarifies for health and social service providers, and members of the public, that a recipient or covered entity must assess what steps it can take to ensure that eligible LEP persons have meaningful access to programs and services. This guidance also provides examples of policies and practices that the Office for Civil Rights, HHS, would find in violation of Title VI, and sets out the policies, procedures and other steps that recipients can take to ensure meaningful access to their programs by LEP persons. Appendix A to the guidance is a series of questions and answers that provides a useful summary of a number of the major aspects of the guidance.

Expenses incurred in the provision of LEP services to SSBG recipients or potential recipients may be covered with SSBG funds.

- ATTACHMENTS:
- (1) List of Regional Managers in the Office for Civil Rights, DHHS.
  - (2) Federal Register Notice, Guidance on the Title VI Prohibition Against National Origin Discrimination As It Affects Persons With Limited English Proficiency, including Appendix A & B (65 FR 52672-52774, dated August 30, 2000).

INQUIRIES TO:           Inquiries should be directed to the Regional Managers in the Office for Civil Rights, DHHS.